

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled *A BREAKAWAY SUPPORT POST FOR HIGHWAY GUARDRAIL END TREATMENTS*, the specification of which is attached hereto;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Number</u> | <u>Country</u> | <u>Date<br/>Filed</u> | <u>Priority<br/>Claimed<br/>(Yes) (No)</u> |
|---------------|----------------|-----------------------|--|
| None          |                |                       |  |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application<br/>Serial Number</u> | <u>Date Filed</u> | <u>Status</u> |
|--------------------------------------|-------------------|---------------|
| None                                 |                   |               |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application listed below:

USSN 60/046,015 filed May 9, 1997

I hereby appoint:

|                           |                  |
|---------------------------|------------------|
| Jerry W. Mills            | Reg. No. 23,005  |
| Robert M. Chiaviello, Jr. | Reg. No. 32,461  |
| Ann C. Livingston         | Reg. No. 32,479  |
| Thomas R. Felger          | Reg. No. 28,842  |
| Charles S. Fish           | Reg. No. 35,870  |
| Wei Wei Jeang             | Reg. No. 33,305  |
| Kevin J. Meek             | Reg. No. 33,738  |
| T. Murray Smith           | Reg. No. 30,222  |
| Barton E. Showalter       | Reg. No. 38,302  |
| David G. Wille            | Reg. No. 38,363  |
| Bradley P. Williams       | Reg. No. 40,227  |
| Terry J. Stalford         | Reg. No. 39,522  |
| Christopher W. Kennerly   | Reg. No. 40,675  |
| Harold E. Meier           | Reg. No. 22,428  |
| Alexander B. Ching        | Reg. No. P41,669 |
| Stacy S. Cook             | Reg. No. P42,435 |
| Douglas M. Kubehl         | Reg. No. P41,915 |
| Samir A. Bhavsar          | Reg. No. P41,617 |
| Thomas R. Nesbitt, Jr.    | Reg. No. 22,075  |
| James J. Maune            | Reg. No. 26,946  |
| Roger J. Fulghum          | Reg. No. 39,678  |
| Anthony E. Peterman       | Reg. No. 38,270  |
| Rodger L. Tate            | Reg. No. 27,399  |
| Scott F. Partridge        | Reg. No. 28,142  |
| James B. Arpin            | Reg. No. 33,470  |
| James Remenick            | Reg. No. 36,902  |
| Jay B. Johnson            | Reg. No. 38,193  |
| Robert W. Holland         | Reg. No. 40,020  |
| Floyd B. Chapman          | Reg. No. P40,555 |
| Randall W. Mishler        | Reg. No. P42,006 |

all of the firm of Baker & Botts, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Baker & Botts, L.L.P.  
2001 Ross Avenue  
Dallas, Texas 75201-2980

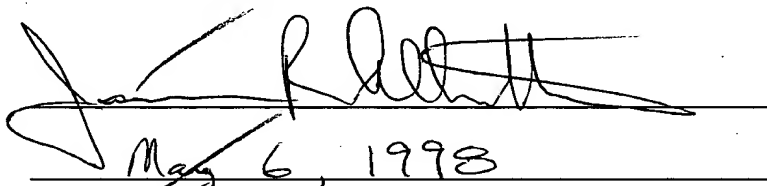
Direct Telephone Calls To:

Thomas R. Felger  
at (214) 953-6959  
Atty. Docket No. 091078.0554

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the single inventor: James R. Albritton

Inventor's signature



Date

May 6, 1998

Residence (City, County, State)

Aledo (Parker) Texas

Citizenship:

United States of America

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